

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

**WILLIAM HENRY TANNER, JR.,

DEBTOR**

**CASE NO. 20-03603-5-DMW
CHAPTER 13**

DEBTOR'S VERIFIED MOTION TO IMPOSE STAY

Now comes the Debtor, by and through counsel, and moves this court to order, under 11 U.S.C. § 362(c)(4), that the full protections of an automatic stay pursuant to 11 U.S.C. § 362(a) take effect in this case as to all creditors until terminated under 11 U.S.C. § 362(c)(1) or (2), or until further order of the court. In support of this motion, the Debtor shows the court as follows:

1. The Debtor filed the above-captioned case on November 9, 2020.
2. On October 22, 2018, the Debtor filed a prior chapter 13 case bearing the assigned case number 18-05161-5-DMW in the Eastern District of North Carolina and that case was dismissed on February 21, 2020. On April 20, 2020, the Debtor filed a prior chapter 13 case bearing the assigned Case No. 20-01622-5-DMW in the Eastern District of North Carolina. The court dismissed that case on September 23, 2020. The dismissal of the prior case was because of the following (*mark all that apply*):

X Debtor or Debtor's immediate family incurred significant medical expenses: the Debtor helped his elderly mother pay for medications after she was diagnosed with breast cancer and she was unable to pay for all of her out of pocket medical expenses.

X Debtor lost job/ had hours reduced/had wages reduced: the Debtor's primary source of income is residential construction work. Due to the coronavirus pandemic and lockdown orders of the state and local governments, fewer homeowners wanted the Debtor and those working with him to enter their residences for work. Some contracts for work were delayed indefinitely. Additionally, materials for construction, particularly lumber, jumped up in prices substantially which meant that some jobs were canceled by the homeowners when the costs of paying for materials became too high. Finally, the Debtor had to quarantine 14 days and lost a contract for work when one of the workers on a job was exposed to the coronavirus and had to be tested. All of these circumstances diminished the Debtor's income during the summer months.

☐ Debtor incurred a significant expense on primary residence;

☐ Debtor incurred a significant expense on primary vehicle;

X Debtor was owed money by a third party (such as child support, alimony, worker's compensation) and was not paid (*if so, list source of money **): The Debtor had a construction job and the homeowner did not pay. He is seeking collection. Also, the Debtor rents rooms out of his residence and he had one tenant who was not paying, and the Debtor had to evict him.

- ☐ Debtor incurred a significant expense related to a dependent (*if so, provide details*): *
- ☐ Other:
3. The Debtor's circumstances have substantially changed because (*mark all that apply*):
- X Debtor now has new income in the form of additional work hours, an additional job, additional wages from previous job, and/or a new job. Provide details: the Debtor has construction jobs that he is working. Homeowners are still being cautious but are beginning to reschedule more jobs. Also, the Debtor rents rooms out of his residence and has two new paying tenants.
- ☐ Debtor now has new income in the form of monetary assistance from a third party individual (*provide details*): *
- ☐ Debtor now has new income in the form of monetary assistance from a third party organization (*provide details*): *
- ☐ Debtor now has more available income in the form of reduced expenses (*provide details*): *
- X Other: the Debtor has applied to work with Amazon during the night-time. Amazon is hiring for a lot of new positions right now.
4. As required by E.D.N.C. LBR 4001-1 (d)(1), this motion (*mark appropriate box*)
- X is filed within five (5) days of the petition date
- ☐ is NOT filed within five (5) days of the petition date.
5. The Debtor has demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtor's circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur and this case can be completed.

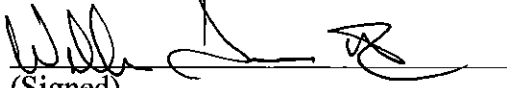
Wherefore, the Debtor prays for the court to enter an order imposing the automatic stay of 11 U.S.C. § 362(a) as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (2), or until further order of the court, and for such further relief as the court deems just and appropriate.

Dated: November 9, 2020.

/s/Travis Sasser
Travis Sasser
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DECLARATION

Under penalty of perjury, I, **William Henry Tanner, Jr.**, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.

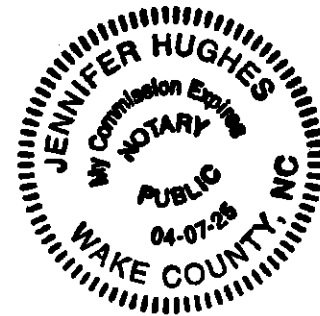

(Signed)

William Henry Tanner, Jr.,

Sworn and subscribed to me this the 9th day of November 2020.


Notary Public

Notary Seal



END OF DOCUMENT

CERTIFICATE OF SERVICE

The foregoing Debtor's Motion to be served on the following parties, by mailing a copy by depositing it in the United States Mail, by First Class Mail, in a properly addressed envelope with adequate postage thereon.

Chapter 13 Trustee
Served Electronically

William Henry Tanner, Jr.
3812 Sue Ellen Drive
Raleigh, NC 27604

ALL PARTIES ON THE ATTACHED MAILING MATRIX via U.S. Mail

Dated: November 9, 2020.

/s/ Travis Sasser
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